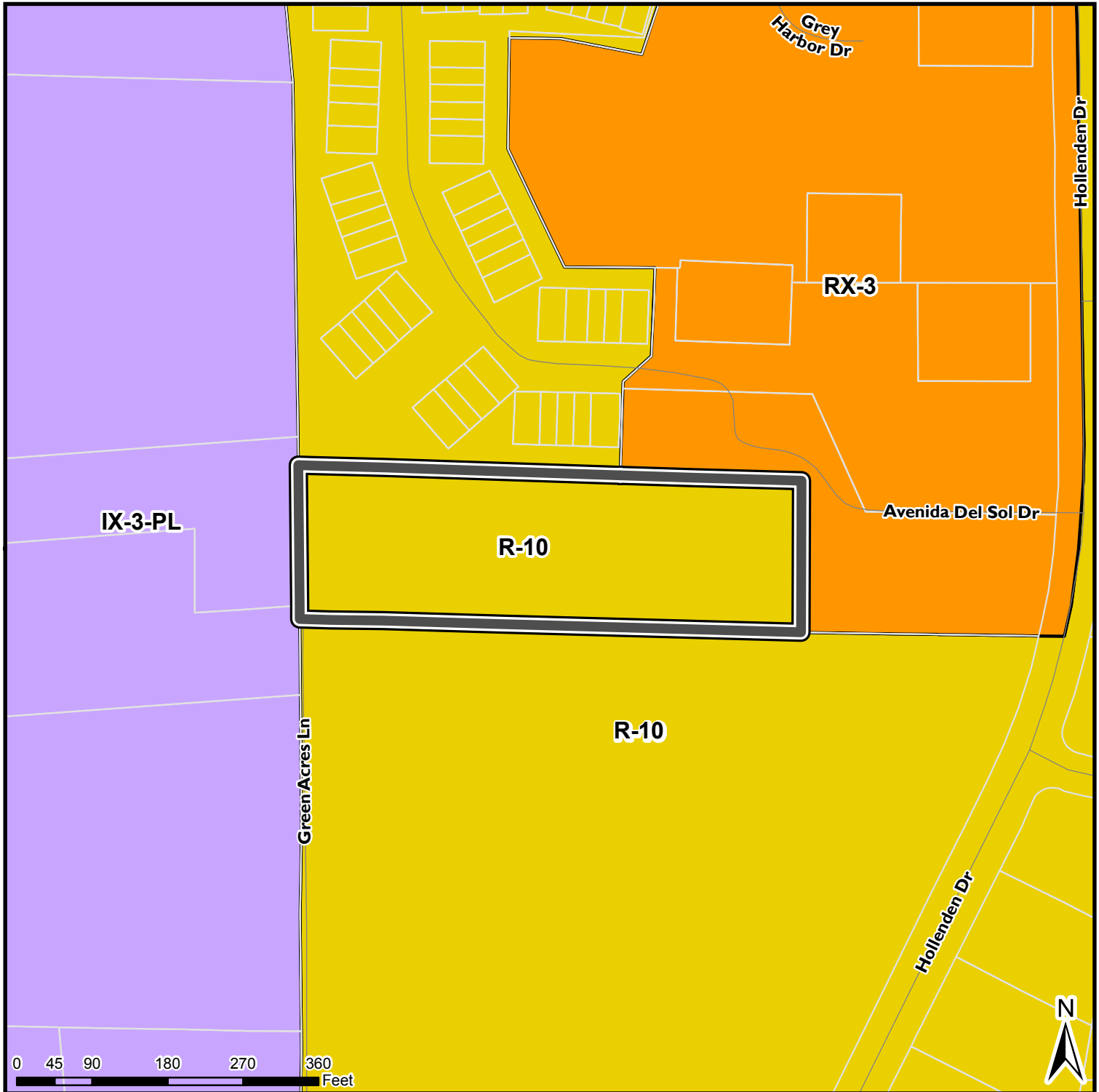


Existing Zoning Map

Z-39-2016



**Submittal
Date**

11/10/2016

Request:

**2.5 acres from
R-10
to IX-3-CU**

VICINITY MAP



Map Date: 11/14/2016



Certified Recommendation

Raleigh Planning Commission

CR#

Case Information Z-39-16 Green Acres Lane

<i>Location</i>	Green Acres Lane, east side, approximately 630' north of N. New Hope Road Address: 5200 Green Acres Lane PIN: 1726552333
<i>Request</i>	Rezone property from R-10 to IX-3-CU
<i>Area of Request</i>	2.5 acres
<i>Property Owner</i>	David F. Green Sr., Mary Mebane Galloway, Sherry Kerman Bunch
<i>Applicant</i>	Lacy H. Reaves
<i>Citizens Advisory Council (CAC)</i>	Northeast CAC
<i>PC Recommendation Deadline</i>	April 3, 2017

Comprehensive Plan Consistency

The rezoning case is ☐ Consistent ☒ Inconsistent with the 2030 Comprehensive Plan.

Future Land Use Map Consistency

The rezoning case is ☐ Consistent ☒ Inconsistent with the Future Land Use Map.

Comprehensive Plan Guidance

<i>FUTURE LAND USE</i>	Medium Density Residential
<i>URBAN FORM</i>	No designation
<i>CONSISTENT Policies</i>	Policy LU 2.6—Zoning and Infrastructure Impacts.
<i>INCONSISTENT Policies</i>	Policy LU 1.2—Future Land Use Map and Zoning Consistency Policy LU 5.6—Buffering Requirements Policy H 1.8—Zoning for Housing

Summary of Proposed Conditions

1. Uses limited to those in R-10 and surface parking for car dealership.
2. No public address or other amplified sound will be located on the property.
3. In addition to landscaping required by the UDO, Leyland Cypress or similar evergreen trees will be planted along a portion of the northern property line.
4. A fence will be erected along the southern, eastern, and northern property lines.
5. No lighting will be placed more than 24' above grade.

Public Meetings

<i>Neighborhood Meeting</i>	<i>CAC</i>	<i>Planning Commission</i>	<i>City Council</i>	<i>City Council</i>
11/1/16	Northeast CAC 11/10/16; 12/8/16 (Yes-20, No-0)	1/3/17 (Committee of the Whole. 8-1 vote to refer back to Planning Commission with no recommendation.) 1/10/16 (recommended approval)	1/17/17	2/7/17

Attachments

1. Staff report
2. Traffic Impact Analysis worksheet
3. Proposed zoning conditions

Planning Commission Recommendation

<i>Recommendation</i>	Approve. City Council may now schedule this proposal for Public Hearing, or refer it to committee for further study and discussion.
<i>Findings & Reasons</i>	While the proposal is inconsistent with the Future Land Use Map, the applicant has been responsive to issues raised by neighbors and has included conditions that address concerns. The proposal would provide a public benefit by allowing for the expansion of an existing business.
<i>Motion and Vote</i>	Motion: Swink Second: Tomasulo In Favor: Alcine, Braun, Hicks, Jeffreys, Lyle, Schuster, Swink, and Tomasulo. Opposed: Terando.

This document is a true and accurate statement of the findings and recommendations of the Planning Commission. Approval of this document incorporates all of the findings of the attached Staff Report.

Planning Director	Date
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Planning Commission Chairperson	Date
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Staff Coordinator: Jason Hardin: (919) 996-2657; Jason.Hardin@raleighnc.gov



Zoning Staff Report – Z-39-16

Conditional Use

Case Summary

Overview

The proposal seeks to rezone a 2.5-acre parcel on Green Acres Lane to facilitate the expansion of parking for a vehicle sales operation on Capital Boulevard. The current R-10 zoning does not permit the expansion; the proposed IX-3-CU zoning includes conditions that allow only parking for vehicle sales; the use, for storage, of an existing building or a replacement of the same size; and uses allowed in R-10.

The site is currently occupied by a detached house and a storage building. The house would be demolished under the proposal; the storage building would be reused or rebuilt. Adjacent properties include a car dealership to the east; townhouses and apartments to the north; and apartments to the east and south.

In terms of zoning, the subject property is zoned R-10, as are properties to the south and along a part of the northern border. The remainder of the northern edge of the property is bordered by property zoned RX-3, as is the eastern edge. The property to the west is zoned IX-3-PL.

The subject property and adjacent properties to the north, east, and south are designated for Medium Density Residential on the Future Land Use Map. The area to the west, between the property and Capital Boulevard, is designated for Community Mixed Use.

The subject property is not within or along any areas designated on the Urban Form Map. However, it is less than 600 feet from Capital Boulevard, which is designated as a Transit Emphasis Corridor.

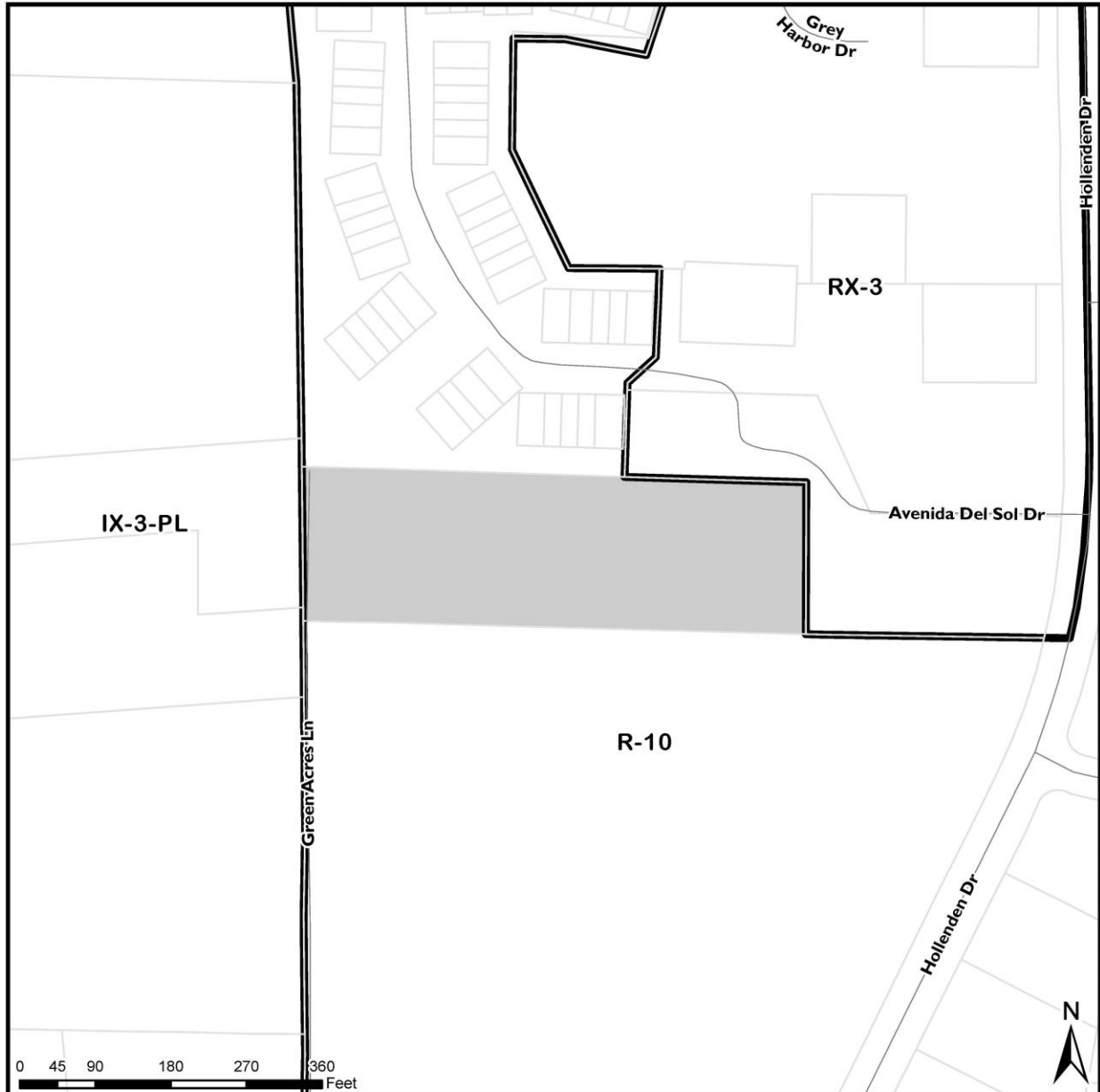
In addition to the conditions relating to use, proposed conditions would: place a fence around the north, east, and south, edges of the property; require additional evergreen plantings on a portion of the northern edge where tree cover does not currently exist; and limit the height of light poles to 24'.

Outstanding Issues

<i>Outstanding Issues</i>	<i>Suggested Mitigation</i>
<ol style="list-style-type: none">1. The proposal is not consistent with the Future Land Use Map and Comprehensive Plan.2. The property does not front on a public street, and access from Green Acres Lane is limited to one single-family residence.	<ol style="list-style-type: none">1. Change the request to more closely align with the FLUM.2. Access will need to be obtained from a revised easement or an adjacent property. The request envisions providing access via the property to the west.

Existing Zoning Map

Z-39-2016



**Submittal
Date**

11/10/2016

Request:

**2.5 acres from
R-10
to IX-3-CU**



Map Date: 11/14/2016

Rezoning Case Evaluation

1. Compatibility Analysis

1.1 Surrounding Area Land Use/ Zoning Summary

	Subject Property	North	South	East	West
<i>Existing Zoning</i>	R-10	R-10/RX-3	R-10	RX-3	IX-3
<i>Additional Overlay</i>	-	-	-	-	-
<i>Future Land Use</i>	Medium Density Residential	Medium Density Residential	Medium Density Residential	Medium Density Residential	Community Mixed Use
<i>Current Land Use</i>	Residential	Residential	Residential	Residential	Vehicle sales
<i>Urban Form (if applicable)</i>	-	-	-	-	-

1.2 Current vs. Proposed Zoning Summary*

	Existing Zoning	Proposed Zoning
<i>Residential Density:</i>	8.8 units/acre	22 units/acre
<i>Setbacks: (if residential)</i>		
<i>Front:</i>	10'	5'
<i>Side:</i>	5'	0' or 6'
<i>Rear:</i>	20'	0' or 6'
<i>If vehicle sales:</i>	-	10'
<i>Retail Intensity Permitted:</i>	-	-
<i>Office Intensity Permitted:</i>	-	-

1.3 Estimated Development Intensities*

	Existing Zoning	Proposed Zoning
<i>Total Acreage</i>	2.5 acres	2.5 acres
<i>Zoning</i>	R-10	IX-3-CU
<i>Max. Gross Building SF (if applicable)</i>	30,800 sf	96,245 sf
<i>Max. # of Residential Units</i>	22	55
<i>Max. Gross Office SF</i>	-	-
<i>Max. Gross Retail SF</i>	-	-
<i>Max. Gross Commercial SF</i>	-	88,090 sf
<i>Potential F.A.R</i>	-	-

*The development intensities for proposed zoning districts were estimated using an impact analysis tool. The estimates presented are only to provide guidance for analysis.

**The property is accessed from Green Acres Lane through an access easement for the use of a single family residence. Development beyond that level would require a revised easement or obtaining access from an adjacent lot.

The proposed rezoning is:

☐ **Compatible** with the property and surrounding area.

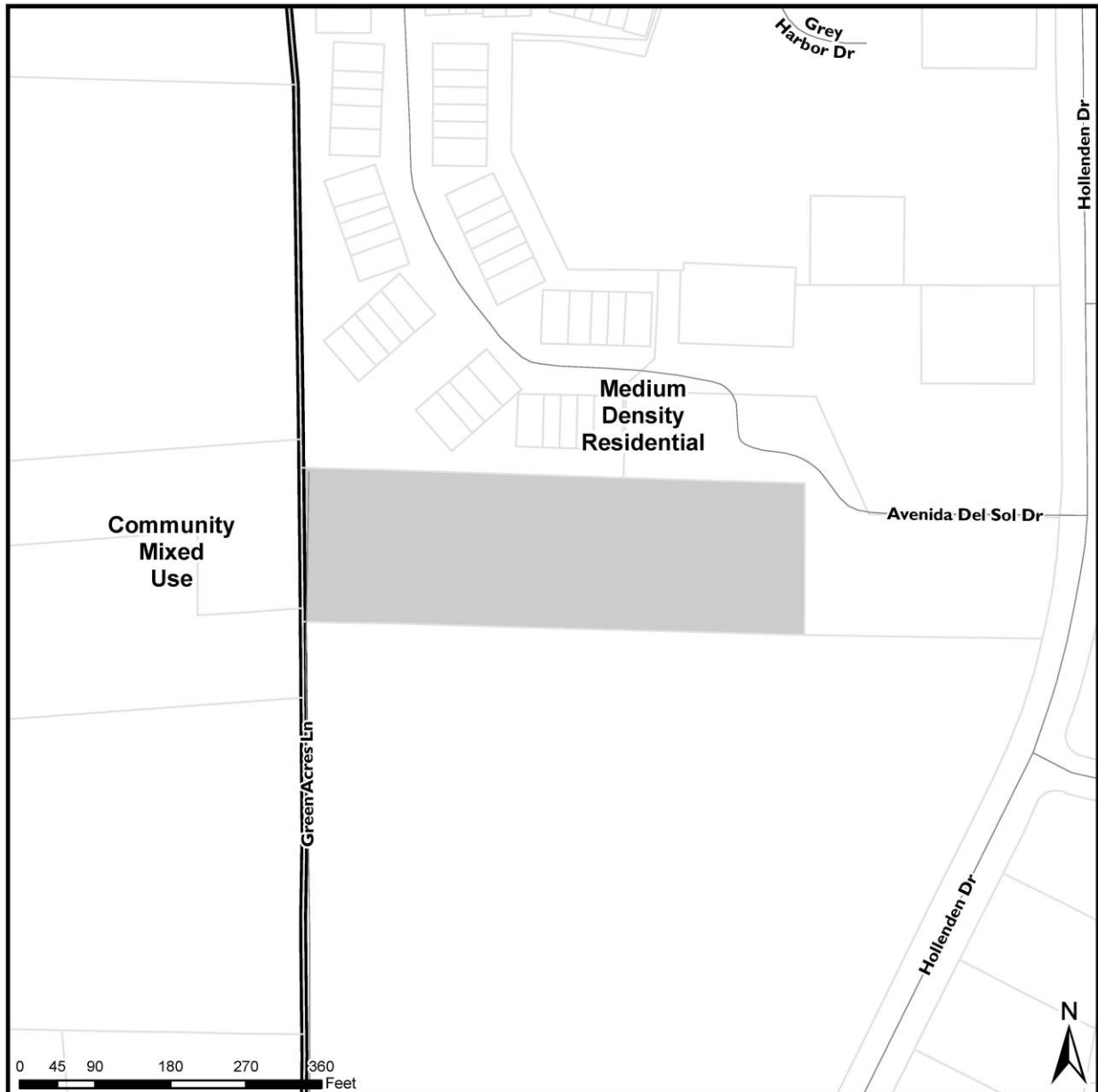
☒ **Incompatible.**

Analysis of Incompatibility:

The surrounding area to the north, east, and south is zoned and used for residential purposes and is not compatible with an extension of a car dealership.

Future Land Use Map

Z-39-2016



**Submittal
Date**

11/10/2016

Request:

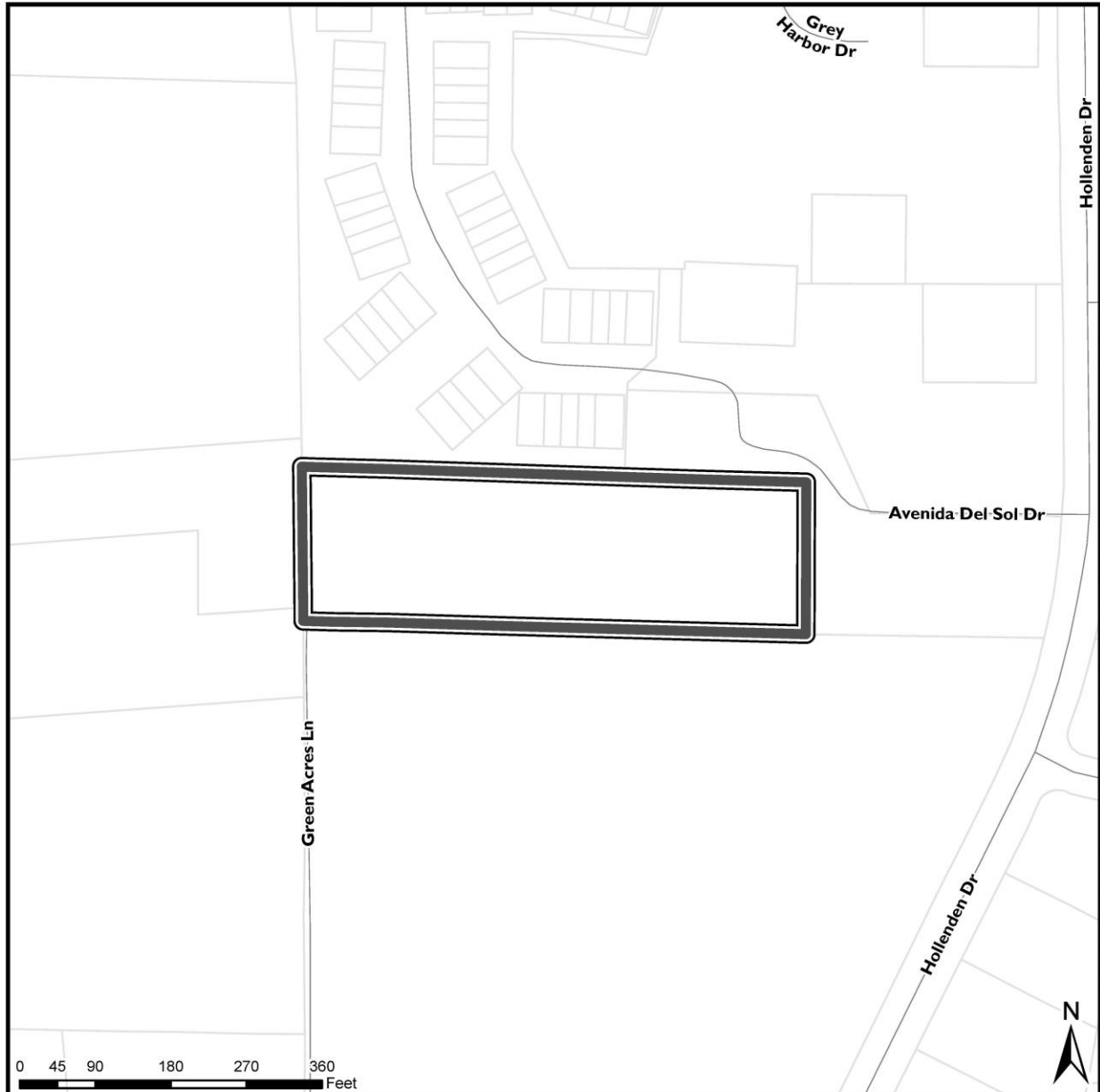
**2.5 acres from
R-10
to IX-3-CU**



Map Date: 11/14/2016

Urban Form Map

Z-39-2016



**Submittal
Date**

11/10/2016

Request:

**2.5 acres from
R-10
to IX-3-CU**



Map Date: 11/14/2016

2. Comprehensive Plan Consistency Analysis

2.1 Comprehensive Plan

Determination of the conformance of a proposed use or zone with the Comprehensive Plan includes consideration of the following questions:

- A. Is the proposal consistent with the vision, themes, and policies contained in the Comprehensive Plan?
- B. Is the use being considered specifically designated on the Future Land Use Map in the area where its location is proposed?
- C. If the use is not specifically designated on the Future Land Use Map in the area where its location is proposed, is it needed to service such a planned use, or could it be established without adversely altering the recommended land use and character of the area?
- D. Will community facilities and streets be available at City standards to serve the use proposed for the property?

- A. The proposal is inconsistent with several themes and policies contained in the Plan. These including the themes of Expanding Housing Choices, because the proposal, by allowing a commercial use, may limit the ability to provide housing; and Growing Successful Neighborhoods and Communities, because the proposed commercial use of parking for vehicle sales could have a negative impact on the adjacent neighborhood.
- B. The proposed use of parking for vehicle sales is not specifically designated on the Future Land Use Map. The area is designated as Medium Density Residential on the map.
- C. Parking for vehicle sales is not needed to service residential uses in the area where the location is proposed. The use of a parking lot cannot be established without adversely altering recommended land use and character.
- D. Existing infrastructure is sufficient.

2.2 Future Land Use

Future Land Use designation:

The rezoning request is:

☐ **Consistent** with the Future Land Use Map.

☒ **Inconsistent**

Analysis of Inconsistency:

The subject property is in an area designated for Medium Density Residential on the Future Land Use Map. The requested zoning of IX, even as limited by the proposed conditions, is not consistent with that designation.

2.3 Urban Form

Urban Form designation:

☒ **Not applicable** (no Urban Form designation)

2.4 Policy Guidance

The rezoning request is **consistent** with the following policies:

Policy LU 2.6—Zoning and Infrastructure Impacts. Carefully evaluate all amendments to the zoning map that significantly increase permitted density or floor area to ensure that impacts to infrastructure capacity resulting from the projected intensification of development are adequately mitigated or addressed.

Infrastructure demand from the proposed rezoning would be minimal.

The rezoning request is **inconsistent** with the following policies:

Policy LU 1.2—Future Land Use Map and Zoning Consistency. The Future Land Use Map shall be used in conjunction with the Comprehensive Plan policies to evaluate zoning consistency including proposed zoning map amendments and zoning text changes.

The proposal to rezone the property to IX-3-CU is not consistent with the Future Land Use Map, which designates the area for Medium Density Residential.

Policy LU 5.6—Buffering Requirements. New development adjacent to areas of lower intensity should provide effective physical buffers to avoid adverse effects. Buffers may include larger setbacks, landscaped or forested strips, transition zones, fencing, screening, height and/or density step downs, and other architectural and site planning measures that avoid potential conflicts.

The request does not fully address adverse effects on adjacent residential properties. Rezoning cases involving similar uses near residential areas have included protective yards and lighting restrictions that have gone beyond UDO requirements and what is included in this case.

Policy H 1.8—Zoning for Housing. Ensure that zoning policy continues to provide ample opportunity for developers to build a variety of housing types, ranging from single-family to dense multi-family. Keeping the market well supplied with housing will moderate the costs of owning and renting, lessening affordability problems, and lowering the level of subsidy necessary to produce affordable housing.

The request, while retaining the potential to develop housing, would, by allowing the expansion of a parking lot, potentially limit the provision of housing near a Transit Emphasis Corridor (Capital Boulevard). Additionally, while housing is allowed in IX districts, the required form (no units allowed on the ground floor) may not be feasible in this location.

2.5 Area Plan Policy Guidance

Not applicable

3. Public Benefit and Reasonableness Analysis

3.1 Public Benefits of the Proposed Rezoning

- The rezoning would allow for the expansion of an existing business.

3.2 Detriments of the Proposed Rezoning

- The rezoning could create impacts on the surrounding homes that would be difficult to fully mitigate.
- The rezoning could limit the provision of housing near a Transit Emphasis Corridor (Capital Boulevard).

4. Impact Analysis

4.1 Transportation

The site is located on a private street known as Green Acres Lane (formerly SR 2040) near the intersection of N. New Hope Road and Capital Boulevard. Green Acres Lane is an access easement for the existing single-family dwelling on the subject parcel. The existing access easement is for the exclusive use of a single-family residence; it cannot be extended for a multifamily development.

There are no City of Raleigh CIP projects or state STIP projects in the vicinity of the Z-39-2016 site. Offers of cross access to adjacent parcels shall be made in accordance with the Raleigh UDO section 8.3.5.D.

A site access easement must be secured by the landowner for any change of use on the subject parcel. Given that the subject parcel does not have public street frontage, the block perimeter cannot be calculated for case Z-39-2016.

The intersection of Spring Forest Road at Hollenden Drive had a Severity Index of 8.5 for the five-year period from July 2011 through June 2016. Case Z-39-2016 meets the objective criteria for a traffic study. Given the low volume of crashes (16 crashes in a five-year period) and the low volume of potential trips (200 vehicles per day) if case Z-39-2016 is approved, Transportation staff waives the traffic study for this case.

Impact Identified: Site access, no public street frontage

4.2 Transit

Route 1 Capital operates along Capital Blvd with a stop on Capital/Spring Forest. Route 23L Millbrook Crosstown Connector operates on New Hope Rd with a stop on New Hope/Capital across from Wendy's.

Impact Identified: There are no transit requests.

4.3 Hydrology

<i>Floodplain</i>	No FEMA Floodplain present
<i>Drainage Basin</i>	Beaverdam – E and Marsh
<i>Stormwater Management</i>	Subject to stormwater regulations under Article 9 of UDO.
<i>Overlay District</i>	none

1. Subject to stormwater regulations under Article 9 of UDO.

Impact Identified: None.

4.4 Public Utilities

	<i>Maximum Demand (current)</i>	<i>Maximum Demand (proposed)*</i>
<i>Water</i>	-	-
<i>Waste Water</i>	-	-

Site is currently not served by public water and sewer.

* If used as vehicle parking. 34,375 gpd if connected to system and developed as residential.

Impact Identified: None

4.5 Parks and Recreation

The closest park to the subject property is Spring Forest Road Park, located .8 miles to the northeast. The nearest trail access is at the southern end of the Spring Forest Trail, located 1.6 miles from the property. There are no existing or proposed greenway trails, corridors, or easements within or adjacent to this site.

Other nearby park facilities include Green Road Park, a larger park located 1.2 miles southwest of the property, and a future park at Kyle Drive. The Kyle Drive property, which is owned by the City, is slightly to the east of the intersection of Louisburg Road and N. New Hope Road and is located approximately 1 mile southeast of the subject property. Additionally, a greenway segment .5 miles east of the property has areas of higher ground that also could be developed as a park.

Staff considered the subject property itself with respect to park feasibility. While an additional facility would add to the level of service in the area, the property has disadvantages for use as a park. These include access considerations and, due to surrounding development, a lack of visibility from nearby streets such as Capital Boulevard, N. New Hope Road, and Hollenden Drive.

Given the existing and future resources in the area, adding an additional facility at the subject property would not add to the equitable distribution of resources in the park system.

Impact Identified: None

4.6 Urban Forestry

Compliance with UDO 9.1 will be required at the time of development plan submittal.

Impact Identified: None.

4.7 Designated Historic Resources

Impact Identified: None

4.9 Impacts Summary

The site as it currently exists has an access easement on Green Acres Lane only for a single residence. It also does not front on a public street. Any change in use will require a revised easement or alternate access, such as from another adjacent property.

4.10 Mitigation of Impacts

Access will need to be obtained from a revised easement or adjacent property.

5. Conclusions

The proposal would allow the expansion of an existing business by allowing parking for a vehicle sales operation on the subject property. However, the requested zoning of IX-3-CU is not consistent with the Future Land Use Map designation for the area or with several themes and policies of the Comprehensive Plan, and the proposed use is incompatible with adjacent residential use.

Z-39-2016 Existing Land Use (SF Residential)		Daily 15	AM 2	PM 2
Z-39-2016 Current Zoning Entitlements (MF Residential)		Daily 257	AM 15	PM 30
Z-39-2016 Proposed Zoning Maximums (MF Residential)		Daily 457	AM 31	PM 48
Z-39-2016 Trip Volume Change (Proposed Maximums minus Current Entitlements)		Daily 200	AM 16	PM 18
Z-39-2016 Traffic Study Worksheet				
6.23.4	Trip Generation	Meets TIA Conditions? (Y/N)		
A	Peak Hour Trips \geq 150 veh/hr	No, the change in average peak hour trip volume is 18 veh/hr		
B	Peak Hour Trips \geq 100 veh/hr if primary access is on a 2-lane road	No		
C	More than 100 veh/hr trips in the peak direction	No		
D	Daily Trips \geq 3,000 veh/day	No, the change in average daily trip volume is 200 veh/day		
E	Enrollment increases at public or private schools	Not Applicable		
6.23.5	Site Context	Meets TIA Conditions? (Y/N)		
A	Affects a location with a high crash history [Severity Index \geq 8.4 or a fatal crash within the past three years]	Yes, Hollenden at Spring Forest had a Severity Index of 8.5 for the 5-year period July 2011 to June 2016. Given the low volume of crashes (16 crashes in a five-year period) and the low volume of potential trips (200 vehicles per day) if case Z-39-2016 is approved, Transportation staff waives the traffic study for this case.		
B	Takes place at a highly congested location [volume-to-capacity ratio \geq 1.0 on both major street approaches]	No		
C	Creates a fourth leg at an existing signalized intersection	No		
D	Exacerbates an already difficult situation such as a RR Crossing, Fire Station Access, School Access, etc.	No		
E	Access is to/from a Major Street as defined by the City's Street Plan Map [latest edition]	No		
F	Proposed access is within 1,000 feet of an interchange	No		
G	Involves an existing or proposed median crossover	No		
H	Involves an active roadway construction project	No		
I	Involves a break in controlled access along a corridor	No		
6.23.6	Miscellaneous Applications	Meets TIA Conditions? (Y/N)		
A	Planned Development Districts	No		
B	In response to Raleigh Planning Commission or Raleigh City Council concerns	None received by Transportation Planning as of November 18, 2016		

Rezoning Application



Department of City Planning | 1 Exchange Plaza, Suite 300 | Raleigh, NC 27601 | 919-996-2626

NOV 10 2016 PM 1:52

REZONING REQUEST			
<input type="checkbox"/> General Use <input checked="" type="checkbox"/> Conditional Use <input type="checkbox"/> Master Plan			OFFICE USE ONLY Transaction # <u>490060</u>
Existing Zoning Classification <u>R-10</u>			
Proposed Zoning Classification Base District <u>IX CUD</u> Height <u>3</u> Frontage <u>N/A</u>			
If the property has been previously rezoned, provide the rezoning case number:			
Provide all previous transaction numbers for Coordinated Team Reviews, Due Diligence Sessions, or Pre-Submittal Conferences:			
490060			

GENERAL INFORMATION			
Property Address <u>5200 Green Acres Lane</u>			Date <u>11/3/16</u>
Property PIN <u>1726552333</u> (the "Property")		Deed Reference (book/page) <u>Bk 944, Pg 522</u>	
Nearest Intersection <u>New Hope Rd and Capital Blvd</u>			Property Size (acres) <u>2.5</u>
Property Owner/Address <u>See Exhibit A</u>		Phone	Fax
		Email	
Project Contact Person/Address <u>Lacy H. Reaves</u> <u>PO Box 2611</u> <u>Raleigh, NC 27602-2611</u>		Phone <u>919-821-6704</u>	Fax <u>919-821-6800</u>
		Email <u>lreaves@smithlaw.com</u>	
Owner/Agent Signature <u>See Below</u>		Email	

A rezoning application will not be considered complete until all required submittal components listed on the Rezoning Checklist have been received and approved.

David F. Green Sr. Print Name: David F. Green, Sr.

Mary Mebane Galloway Print Name: Mary Mebane Galloway

Sherry Kerman Bunch Print Name: Sherry Kerman Bunch

REZONING APPLICATION ADDENDUM	
<p align="center">Comprehensive Plan Analysis</p>	<p align="center">OFFICE USE ONLY</p> <p align="center">Transaction #</p> <p align="center">Rezoning Case #</p>
<p>The applicant is asked to analyze the impact of the rezoning request. State Statutes require that the rezoning either be consistent with the adopted Comprehensive Plan, or that the request be reasonable and in the public interest.</p>	
<p align="center">STATEMENT OF CONSISTENCY</p>	
<p>Provide brief statements regarding whether the rezoning request is consistent with the future land use designation, the urban form map, and any applicable policies contained within the 2030 Comprehensive Plan.</p>	
<p>The rezoning request is not consistent with the Future Land Use Map, which designates the Property for Medium Density Residential development.</p> <p>1. However, as noted hereafter, the Property cannot legally be developed for Medium Density Residential Uses.</p>	
<p>The rezoning request is reasonable and in the public interest because after the Property was acquired by the Owner in 1946 and developed as a single-family residence, its current use, the road network in the area changed. The Owner's deed references an abutting "county road" connecting New Hope Road to U.S. 1, which is no longer a public street. The Property does not abut a public road right of way as required by Section 8.3.3.A. of the UDO. It is accessed via a private road that connects it to New Hope Church Road. * Continued in No. 3 below</p> <p>2.</p>	
<p>*(continued from No. 2 above) There is no easement of record that legally creates a right of ingress and egress to the Property. The Property is therefore a "nonconforming lot" under the UDO and its redevelopment would require a special use permit under Section 10.3.6 of the UDO. Because of the requirement of Section 10.3.6.A.4.a. that a new use can generate no more traffic than does the existing use, the Property could be redeveloped with only another single family residence. Thus, it cannot be redeveloped or used for Medium Density Residential uses.</p> <p>3.</p>	
<p>The proposed rezoning is consistent with the following policies of the Comprehensive Plan: LU 5.4 (Density Transitions), LU 5.5 (Transitional and Buffer Zone Districts), and EP 8.4 (Noise and Light Impacts).</p> <p>4.</p>	
<p align="center">PUBLIC BENEFITS</p>	
<p>Provide brief statements regarding the public benefits derived as a result of the rezoning request.</p>	
<p>If the Property is rezoned as proposed, it can be recombined with the Capital Ford lot immediately to its west. That would eliminate the existing nonconforming status of the Property and allow its redevelopment for a use other than a single family residence. Because of the Property's current nonconforming status, it is doubtful that financing for any redevelopment would be possible under present circumstances.</p> <p>1.</p>	
<p>The requested rezoning would facilitate the continued growth of the Capital Ford Business and the expansion of its workforce.</p> <p>2.</p>	
<p>The requested rezoning would allow the parking of employee and inventory vehicles in a location that would not be visible from the right of way of Capital Boulevard.</p> <p>3.</p>	
<p>Because parcels to the north and south of the Property are developed for multifamily residential uses and zoned R10, the proposed rezoning and redevelopment of the Property would require neighborhood transition zones under Article 3.5 of the UDO along the northern and southern boundaries of the Property abutting the multifamily uses.</p> <p>4. This will adequately buffer the passive commercial use of the Property from those areas. Other areas immediately adjoining the Property on the northeast and east are zoned RX. While transition zones would not be required, those areas have existing vegetated buffers and are developed and used for multifamily residential parking lots.</p>	

URBAN DESIGN GUIDELINES

If the property to be rezoned is shown as a “mixed use center” or located along a Main Street or Transit Emphasis Corridor as shown on the Urban Form Map in the Comprehensive Plan, the applicant must respond to the Urban Design Guidelines contained in the 2030 Comprehensive Plan.

1.	<i>All Mixed-Use developments should generally provide retail (such as eating establishments, food stores, and banks), and other such uses as office and residential within walking distance of each other. Mixed uses should be arranged in a compact and pedestrian friendly form.</i>
2.	<i>Within all Mixed-Use Areas buildings that are adjacent to lower density neighborhoods should transition (height, design, distance and/or landscaping) to the lower heights or be comparable in height and massing.</i>
3.	<i>A mixed use area's road network should connect directly into the neighborhood road network of the surrounding community, providing multiple paths for movement to and through the mixed use area. In this way, trips made from the surrounding residential neighborhood(s) to the mixed use area should be possible without requiring travel along a major thoroughfare or arterial.</i>
4.	<i>Streets should interconnect within a development and with adjoining development. Cul-de-sacs or dead-end streets are generally discouraged except where topographic conditions and/or exterior lot line configurations offer no practical alternatives for connection or through traffic. Street stubs should be provided with development adjacent to open land to provide for future connections. Streets should be planned with due regard to the designated corridors shown on the Thoroughfare Plan.</i>
5.	<i>New development should be comprised of blocks of public and/or private streets (including sidewalks). Block faces should have a length generally not exceeding 660 feet. Where commercial driveways are used to create block structure, they should include the same pedestrian amenities as public or private streets.</i>
6.	<i>A primary task of all urban architecture and landscape design is the physical definition of streets and public spaces as places of shared use. Streets should be lined by buildings rather than parking lots and should provide interest especially for pedestrians. Garage entrances and/or loading areas should be located at the side or rear of a property.</i>
7.	<i>Buildings should be located close to the pedestrian-oriented street (within 25 feet of the curb), with off-street parking behind and/or beside the buildings. When a development plan is located along a high volume corridor without on-street parking, one bay of parking separating the building frontage along the corridor is a preferred option.</i>
8.	<i>If the site is located at a street intersection, the main building or main part of the building should be placed at the corner. Parking, loading or service should not be located at an intersection.</i>
9.	<i>To ensure that urban open space is well-used, it is essential to locate and design it carefully. The space should be located where it is visible and easily accessible from public areas (building entrances, sidewalks). Take views and sun exposure into account as well.</i>
10.	<i>New urban spaces should contain direct access from the adjacent streets. They should be open along the adjacent sidewalks and allow for multiple points of entry. They should also be visually permeable from the sidewalk, allowing passersby to see directly into the space.</i>
11.	<i>The perimeter of urban open spaces should consist of active uses that provide pedestrian traffic for the space including retail, cafés, and restaurants and higher-density residential.</i>
12.	<i>A properly defined urban open space is visually enclosed by the fronting of buildings to create an outdoor "room" that is comfortable to users.</i>
13.	<i>New public spaces should provide seating opportunities.</i>
14.	<i>Parking lots should not dominate the frontage of pedestrian-oriented streets, interrupt pedestrian routes, or negatively impact surrounding developments.</i>
15.	<i>Parking lots should be located behind or in the interior of a block whenever possible. Parking lots should not occupy more than 1/3 of the frontage of the adjacent building or not more than 64 feet, whichever is less.</i>

16.	<i>Parking structures are clearly an important and necessary element of the overall urban infrastructure but, given their utilitarian elements, can give serious negative visual effects. New structures should merit the same level of materials and finishes as that a principal building would, care in the use of basic design elements can make a significant improvement.</i>
17.	<i>Higher building densities and more intensive land uses should be within walking distance of transit stops, permitting public transit to become a viable alternative to the automobile.</i>
18.	<i>Convenient, comfortable pedestrian access between the transit stop and the building entrance should be planned as part of the overall pedestrian network.</i>
19.	<i>All development should respect natural resources as an essential component of the human environment. The most sensitive landscape areas, both environmentally and visually, are steep slopes greater than 15 percent, watercourses, and floodplains. Any development in these areas should minimize intervention and maintain the natural condition except under extreme circumstances. Where practical, these features should be conserved as open space amenities and incorporated in the overall site design.</i>
20.	<i>It is the intent of these guidelines to build streets that are integral components of community design. Public and private streets, as well as commercial driveways that serve as primary pedestrian pathways to building entrances, should be designed as the main public spaces of the City and should be scaled for pedestrians.</i>
21.	<i>Sidewalks should be 5-8 feet wide in residential areas and located on both sides of the street. Sidewalks in commercial areas and Pedestrian Business Overlays should be a minimum of 14-18 feet wide to accommodate sidewalk uses such as vendors, merchandising and outdoor seating.</i>
22.	<i>Streets should be designed with street trees planted in a manner appropriate to their function. Commercial streets should have trees which complement the face of the buildings and which shade the sidewalk. Residential streets should provide for an appropriate canopy, which shadows both the street and sidewalk, and serves as a visual buffer between the street and the home. The typical width of the street landscape strip is 6-8 feet. This width ensures healthy street trees, precludes tree roots from breaking the sidewalk, and provides adequate pedestrian buffering. Street trees should be at least 6 1/4" caliper and should be consistent with the City's landscaping, lighting and street sight distance requirements.</i>
23.	<i>Buildings should define the streets spatially. Proper spatial definition should be achieved with buildings or other architectural elements (including certain tree plantings) that make up the street edges aligned in a disciplined manner with an appropriate ratio of height to width.</i>
24.	<i>The primary entrance should be both architecturally and functionally on the front facade of any building facing the primary public street. Such entrances shall be designed to convey their prominence on the fronting facade.</i>
25.	<i>The ground level of the building should offer pedestrian interest along sidewalks. This includes windows entrances, and architectural details. Signage, awnings, and ornamentation are encouraged.</i>
26.	<i>The sidewalks should be the principal place of pedestrian movement and casual social interaction. Designs and uses should be complementary to that function.</i>

EXHIBIT A

Names of Property Owners

David F. Green, Sr.
5812 Dean Avenue
Raleigh, NC 27616

Mary Mebane Galloway
5404 Trenburg Court
Knightdale, NC 27545

Sherry Kerman Bunch
1816 Sheriff Harrison Lane
Knightdale, NC 27545

The Wake County tax records and IMAPS reflect that the Property is owned by Dorothy Freeman Green, who is deceased. Attached as Exhibit A-1 are copies of Probate Documents and the Will and Codicil of Mrs. Green evidencing that the Property is now owned by the individuals listed above.

EXHIBIT B - Page 1

Narrative of Conditions Offered



For purposes of this Application, the "Property" refers to PIN 1726552333.

1. The Property shall be used only for (a) Permitted, Limited, and Special uses allowed in the R-10 District that are also allowed in the IX District; (b) the surface parking of vehicles driven by the employees of the business conducted on PINs 1726455688 (current owner: Capital Ford, Inc.; deed recorded at Book 6953, Page 545, Wake County Registry), 1726456309 (current owner: Capital Ford, Inc.; deed recorded at Book 3569, Page 852, Wake County Registry), and/or 1726455253 (current owner: Capital Ford, Inc.; deed recorded at Book 4237, Page 803, Wake County Registry) [the "Business"], which is now known as "Capital Ford," and vehicles held in the inventory of the Business or in the custody of the Business for service or repair; such parking will occur on an area that is a replacement and an expansion of the existing parking surface now on the Property; and (c) the use of the existing garage/storage building on the Property (and any replacement structure of the same size and height, or less, and in the same location as the garage/storage building when it is replaced) for the storage of files, paper products, and other supplies used in the Business. Any such use shall comply with all provisions of the UDO. The garage/storage building may be moved if that is needed to comply with Article 3.5 of the UDO, which will require Neighborhood Transition Zones along the southern boundary of the Property, or any other provisions of the UDO. The detached single family dwelling now existing on the Property will be demolished upon redevelopment.
2. A fence eight (8) feet in height will be maintained along the boundary of the Property with PINs 1726542749 (current owner: Alton B. Smith, Jr., Trustee; deed recorded at Book 16416, Page 2731, Wake County Registry), 1726555343 (current owner: Passage Home, Inc.; deed recorded at Book 11462, Page 1750, Wake County Registry), and 1726551457 (current owner: Lincoln Villas Homeowners Assoc. Inc.; deed recorded at Book 3262, Page 762, Wake County Registry). The fence may be located anywhere within a protective yard required along any such boundary.

These zoning conditions have been voluntarily offered by the property owner. All property owners must sign each condition page. This page may be photocopied if additional space is needed.

Owner Signature: David F. Green Sr. Date: 4 Jan. 2017
DAVID F. GREEN, SR.

Owner Signature: Mary Mebane Galloway Date: 1-4-17
MARY MEBANE GALLOWAY

Owner Signature: Sherry Herman Bunch Date: 1/4/17
SHERRY GERMAN BUNCH

EXHIBIT B - Page 2

Narrative of Conditions Offered

3. No public address system or other source of amplified sound will be located upon the Property.
4. Along the boundary of the Property with PIN 1726551457 (current owner: Lincoln Villas Homeowners Assoc. Inc.; deed recorded at Book 3262, Page 762, Wake County Registry), in addition to other plantings required by the City, there shall be planted upon development Leyland Cypress or other rapidly growing evergreen trees no more than fifteen (15) feet apart. The Leyland Cypress or other evergreen trees shall be no less than five (5) feet in height when planted.
5. No light source on the Property shall be located more than twenty-four (24) feet above the finished grade unless a more restrictive standard applies in the UDO.

These zoning conditions have been voluntarily offered by the property owner. All property owners must sign each condition page. This page may be photocopied if additional space is needed.

Owner Signature: David F. Green Sr. Date: 4 Jan. 2017
DAVID F. GREEN, SR.

Owner Signature: Mary Mebane Galloway Date: 6-21-17
MARY MEBANE GALLOWAY

Owner Signature: Sherry Herman Bunch Date: 1/4/17
SHERRY HERMAN BUNCH

PROPOSED REZONING

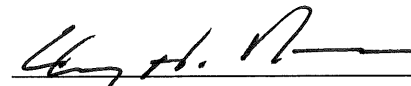
2.5 Acres – 5200 Green Acres Lane

REPORT OF NOVEMBER 1, 2016 NEIGHBORHOOD MEETING

In accordance with Section 10.2.4 of the Unified Development Ordinance, a neighborhood meeting was held with respect to this proposed rezoning case at 6:00 p.m. on Tuesday, November 1, 2016 at the offices of Capital Automotive Group at 4900 Leigh Drive in Raleigh. Attached as Exhibit A is a list of those persons and organizations contacted about the meeting. Those persons and organizations were mailed a letter of invitation concerning the meeting, a copy of which is attached as Exhibit B. The letters were mailed on or about October 14, 2016 via first class U.S. Mail.

Attached as Exhibit C is a roster of the persons in attendance at the meeting. The issues discussed at the meeting included security measures, including fencing, that will be utilized with respect to the Property, the limited access to the Property only from Capital Ford, the landscaping of the Neighborhood Transition Zones that will exist on portions of the Property, lighting of the Property, and the neighbors preference that the Property not be developed for multifamily residential use.

Respectfully submitted this 10th day of November, 2016.



Lacy H. Reaves
Attorney for Petitioner

Exhibit A

No.	Pin #	PIN Ext	Property Owner	Owner's Mailing Address	City, State, Zip	Property Address
1	1726552333	000	GREEN, DOROTHY FREEMAN	5200 GREEN ACRES LN	RALEIGH NC 27616-4435	5200 GREEN ACRES LN
2	1726455688	000	CAPITAL FORD INC	PO BOX 58678	RALEIGH NC 27658-8678	4900 CAPITAL BLVD
3	1726456309	000	CAPITAL FORD INC	4900 CAPITAL BLVD	RALEIGH NC 27616-4407	4840 CAPITAL BLVD
4	1726455253	000	CAPITAL FORD INC	PO BOX 58678	RALEIGH NC 27658-8678	4808 CAPITAL BLVD
5	1726446827	000	MLC AUTOMOTIVE LLC	PO BOX 40110	RALEIGH NC 27629-0110	4800 CAPITAL BLVD
6	1726542749	000	SMITH, ALTON B JR TRUSTEE DCF GROVES LLC	MARVIN F POER & COMP, 3520 PIEDMONT RD NE STE 410	ATLANTA GA 30305-1512	5070 N NEW HOPE RD
7	1726555343	000	PASSAGE HOME INC	PO BOX 28165	RALEIGH NC 27611-8165	4801 AVENIDA DEL SOL DR
8	1726555544	000	ROBCOR LLC	ATTN: TAX ADMINISTRATOR, PO BOX 25965	SHAWNEE MISSION KS 66225- 5965	4800 AVENIDA DEL SOL DR
9	1726551457	000	LINCOLN VILLAS HOMEOWNERS ASSOC INC	PO BOX 20969	RALEIGH NC 27619-0969	3730 SPRING FOREST RD
10	1726552468	000	DAVIS, BRENDA G	4961 AVENIDA DEL SOL DR	RALEIGH NC 27616-4566	4961 AVENIDA DEL SOL DR
11	1726552438	000	LYNCH, MARY E	4963 AVENIDA DEL SOL DR	RALEIGH NC 27616-4566	4963 AVENIDA DEL SOL DR
12	1726552418	000	CARVER, CHARLES OTIS	4965 AVENIDA DEL SOL DR	RALEIGH NC 27616-4566	4965 AVENIDA DEL SOL DR
13	1726551498	000	HARGRO, SANDRA F	10125 PINESADOW DR APT 207	CHARLOTTE NC 28262-1164	4967 AVENIDA DEL SOL DR
14	1726551478	000	LONGMIRE, CRYSTAL MICHELLE TALBOTT, JEANETTE FEARS	134 S FIELDS CIR	CHAPEL HILL NC 27516-7797	4969 AVENIDA DEL SOL DR
15	1726551524	000	BECK, MOLLY L	4973 AVENIDA DEL SOL DR	RALEIGH NC 27616-4566	4973 AVENIDA DEL SOL DR
16	1726551502	000	IBRAHIM, JAMAL	4975 AVENIDA DEL SOL DR	RALEIGH NC 27616-4566	4975 AVENIDA DEL SOL DR
17	1726550580	000	WHITE, KEESHA J	4977 AVENIDA DEL SOL DR	RALEIGH NC 27616-4566	4977 AVENIDA DEL SOL DR
18	1726550468	000	COUPE, WILLIAM R COUPE, REBECCA D	4979 AVENIDA DEL SOL DR	RALEIGH NC 27616-4566	4979 AVENIDA DEL SOL DR
19	1726550622	000	MCDADE, DELPHIA L	5009 AVENIDA DEL SOL DR	RALEIGH NC 27616-4562	5009 AVENIDA DEL SOL DR
20	1726550600	000	WARD, JO ANNE	5007 AVENIDA DEL SOL DR	RALEIGH NC 27616-4562	5007 AVENIDA DEL SOL DR
21	1726459671	000	SHADES PROPERTIES-I LLC	9650 STRICKLAND RD STE 103-133	RALEIGH NC 27615-1902	5005 AVENIDA DEL SOL DR
22	1726459569	000	BUCK, LYNDIA L BUCK, LAWRENCE	5003 AVENIDA DEL SOL DR	RALEIGH NC 27616-4562	5003 AVENIDA DEL SOL DR
23	1726459547	000	HAIMCHAND, OMAWATTIE GOBIN, DHANRAJ	5001 AVENIDA DEL SOL DR	RALEIGH NC 27616-4562	5001 AVENIDA DEL SOL DR

SMITH, ANDERSON, BLOUNT,
DORSETT, MITCHELL & JERNIGAN, L. L. P.

LAWYERS

OFFICES
Wells Fargo Capitol Center
150 Fayetteville Street, Suite 2300
Raleigh, North Carolina 27601

LACY H. REAVES
DIRECT DIAL: (919) 821-6704
E-Mail: lreaves@smithlaw.com

October 14, 2016

MAILING ADDRESS
P.O. Box 2611
Raleigh, North Carolina
27602-2611

TELEPHONE: (919) 821-1220
FACSIMILE: (919) 821-6800

Dear Neighboring Property Owners:

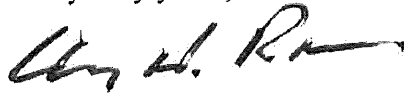
We represent Capital Ford, Inc. and are writing to invite you to a Neighborhood Meeting to discuss the proposed rezoning of a parcel that adjoins the dealership's Capital Boulevard property on the east. The parcel is 2.5 acres in size and is located at 5200 Green Acres Lane. It is identified on the attached map. The rezoning would limit the use of the property to uses now allowed under its current zoning and to the parking of vehicles owned by Capital Ford's employees or otherwise related to its auto dealership business. Other conditions of the rezoning and provisions of the City's Unified Development Ordinance would require fencing of the parcel and vegetated perimeter buffers, limit the height of lighting to 30 feet, and require full cut-off light fixtures.

The meeting will be held at 6:00 p.m. on November 1, 2016 at Capital Ford's corporate offices at 4900 Leigh Drive in Raleigh. A map showing this location is also enclosed.

Please do not hesitate to call me if you have questions. More information is also available from the Raleigh Department of City Planning at 919-996-2626 (rezoning@raleighnc.gov; web address: www.raleighnc.gov).

We hope you will be able to attend the meeting.

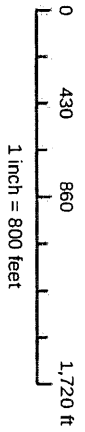
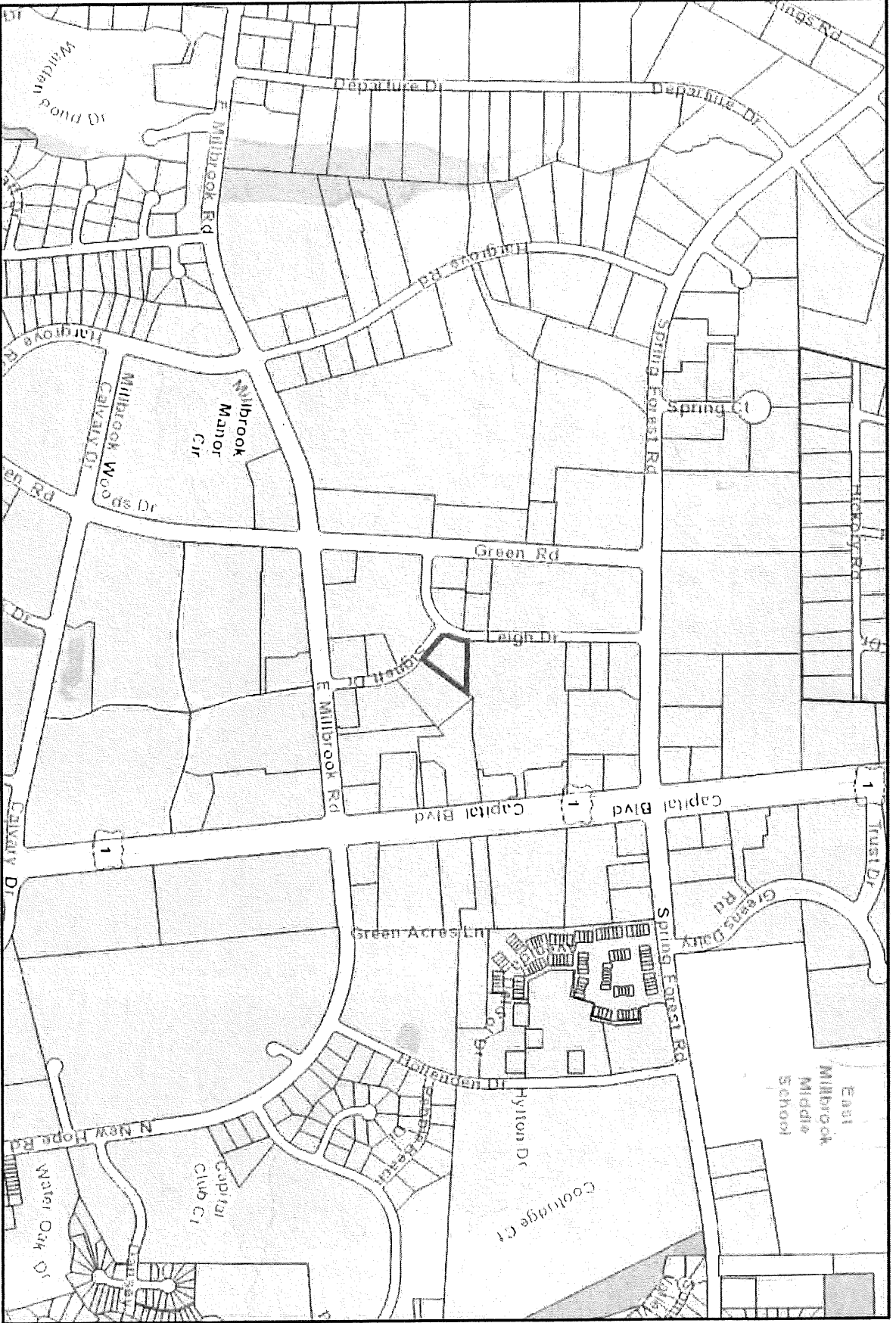
Very truly yours,



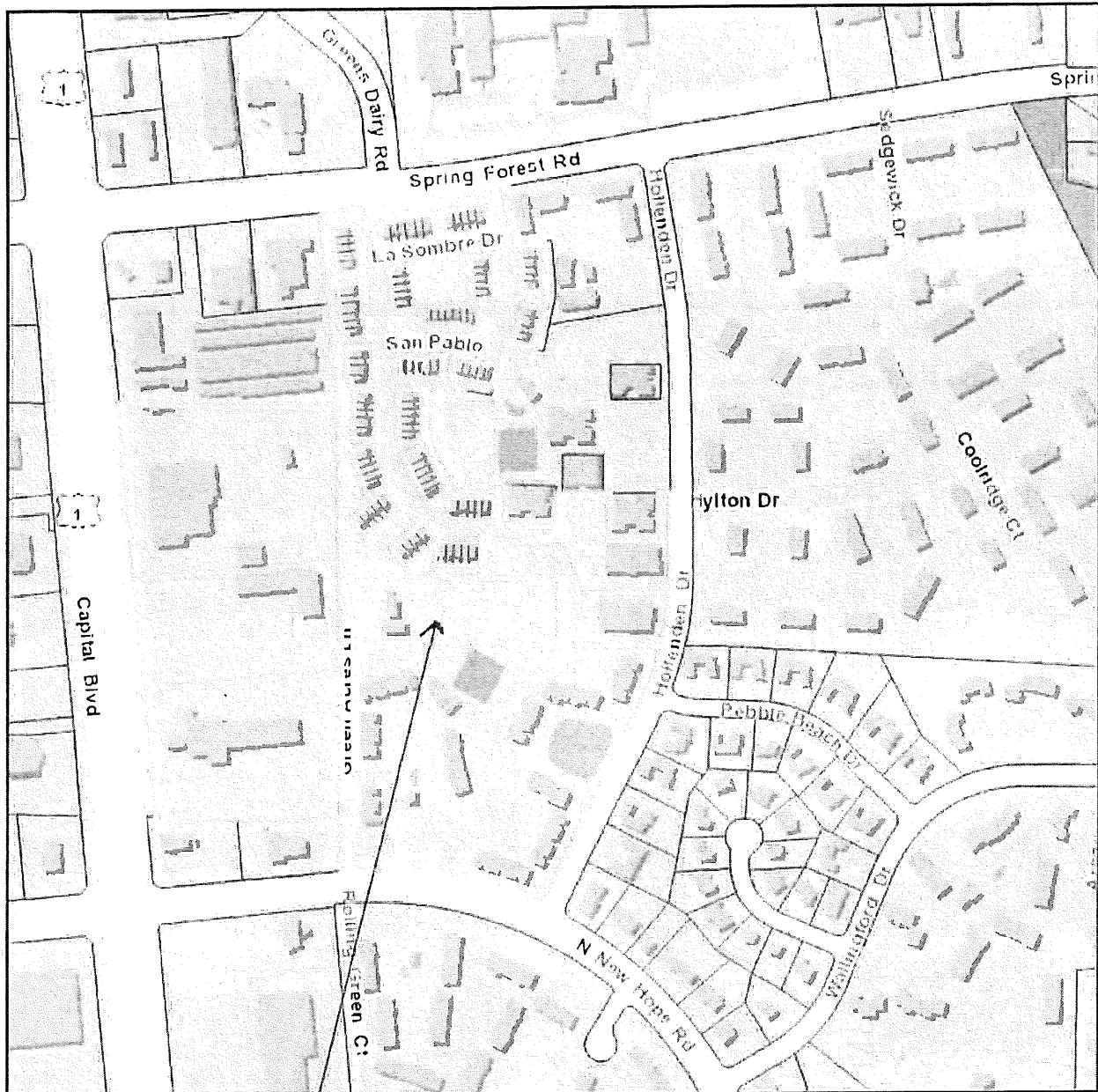
Lacy H. Reaves

LHR: kjr
Enclosures

4900 Leigh Drive

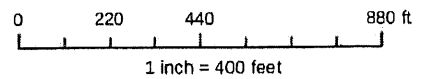


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PIN 1726455688 Adjacent Parcels

*Parcel proposed
for rezoning.*



Disclaimer
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REVISION 04.05.16